

THE DOCUMENT COMPANY
XEROX

FACSIMILE

RECEIVED
CENTRAL FAX CENTER

OCT 20 2004

Date: October 20, 2004

TO: Examiner Savitri Mulpuri
FAX #: (703) 872-9306
PHONE #: N/A

TOTAL # OF PAGES (including cover sheet): 10

From: Kent M. Chen
Xerox Corporation
Palo Alto Research Center Incorporated
3333 Coyote Hill Road
Palo Alto, CA 94304

Tel.: (310) 333-3663
Fax: (650) 812-4274

If there are transmission difficulties, please contact Caroline Benson at (650) 812-4265.

PATENT APPLICATION
Attorney Docket No. 99241Q-US-DIV

CERTIFICATE OF TRANSMISSION

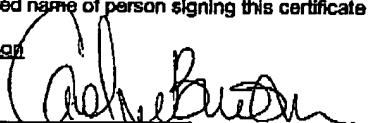
I hereby certify that this correspondence is being facsimile transmitted to the
Patent and Trademark Office Fax No. (703) 872-9306

on 10/20/2004
Date

Typed or printed name of person signing this certificate

Caroline Benson

Signature



Application of: David P. Bour et al.
Serial No.: 10/025,462
Filed: 12/26/2001

Art Unit: 2812
Examiner: S. Mulpuri
Confirmation No.: 4171

Title: STRUCTURE AND METHOD FOR INDEX-GUIDED BURIED HETEROSTRUCTURE ALGALNN
LASER DIODES

Please acknowledge receipt of the papers identified below:

Amendment
Amendment Transmittal
Request for Continued Examination

IMPORTANT/CONFIDENTIAL: This message is intended only for the use of the individual or entity to which it is addressed. This message contains information from the Office of General Counsel of Xerox Corporation which may be privileged, confidential and exempt from disclosure under applicable law which is not waived due to misdelivery. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby

**REQUEST FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application No.: 10/025,462
Filing Date: 12/26/2001
First Named Inventor: David P. Bour
Group Art Unit: 2812
Confirmation No.: 4171
Examiner Name: Savitri Mulpuri
Attorney Docket No.: 99241Q-US-DIV

**This is a Request for Continued Examination (RCE)
under 37 C.F.R. § 1.114 of the above-identified application.**

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA [and 102(e)/103 removal for commonly owned applications]. See Changes to Application Examination and Provisional Application Practice Interim Rule, 65 Fed. Reg. 14885 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000); 65 Fed. Reg. 50092 (Aug. 16, 2000), which established RCE practice. [Note that § 1.114 also requires prosecution to be closed to use an RCE.]

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on
(Any unentered amendment(s) referred to above will be entered).
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
 - v. ☐ Other
- b. ☒ Enclosed
- i. ☒ Amendment or Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☐ Other

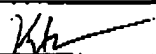
2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(f) (required))
- b. ☐ Other

3. Fees [The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.]

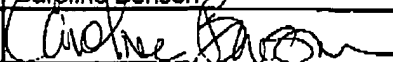
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Xerox Corporation Deposit Account No. 24-0025.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) - \$790.00
 - ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17). Please grant any required extension of time.
 - iii. ☐ Other
- b. ☒ A return receipt postcard is enclosed.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|---|-----------------------------------|------------|
| Name (Print/Type) | Kent M. Chen | Registration No. (Attorney/Agent) | 39,630 |
| Signature |  | Date | 10/20/2004 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited on the date set forth below with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date set forth below:

| | | | |
|-------------------|---|------|------------|
| Name (Print/Type) | Caroline Benson | Date | 10/20/2004 |
| Signature |  | | |

Customer No.: 35490

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the
Patent and Trademark Office Fax No. (703) 872-9306

PATENT APPLICATION

Attorney Docket No.

99241Q-US-DIV

on 10/20/2004
Date


Caroline Benson

AMENDMENT TRANSMITTAL LETTER

| | | | | | | |
|---|---|------------------------------------|---|---------------------------------|-------------------------------|--------------------------|
| In re application of: David P. Bour et al. | | | | | | |
| Application Number 10/025,462 | Filing Date 12/26/2001 | Examiner Savitri Mulpuri | | Confirmation No. 4171 | Group Art Unit 2812 | |
| Title: STRUCTURE AND METHOD FOR INDEX-GUIDED BURIED HETEROSTRUCTURE ALGALNN LASER DIODES | | | | | | |
| TO THE COMMISSIONER FOR PATENTS: Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below. | | | | | | |
| CLAIMS AS AMENDED | | | | | | |
| (1) | (2) Claims Remaining after Amend. | (3) | (4) Highest No. Previously Paid For | (5) No. of Extra Claims | (6) Rate | (7) Additional Fee |
| Total Claims | 27 | Minus | 24 = | 3 | x \$ 18 | \$ 54.00 |
| Indep. Claims | 4 | Minus | 3 = | 1 | x \$ 88 | \$ 88.00 |
| Total Additional Fee for this Amendment | | | | | | \$ 142.00 |

- ☐ No additional fee is required.
- ☒ Charge **\$ 142.00** to Deposit Account No. 24-0025. *An additional copy of this sheet is enclosed.*
- ☒ Please charge any additional fees under 37 CFR 1.16, 1.17, 1.21 and 1.136(a) (but not 1.18), or credit any overpayment, to Deposit Account No. 24-0025. *An additional copy of this sheet is enclosed.*
- ☒ This constitutes a request for any needed extension of time and an authorization to charge all fees therefor to the above deposit account, if not otherwise specifically requested. This is also an authorization under 37 CFR 1.136(a)(3) to treat any concurrent or future reply, requiring a petition for extension of time, as incorporating a petition for the appropriate extension of time.
- ☒ Additional papers enclosed: Amendment, Request for Continued Examination



Kent M. Chen

Signature under 37 CFR 1.33 & 34
Registration No. **39,630**
Telephone No. **310-333-3563**
Date of Signature: **October 20, 2004**

Customer No.: 35490